

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**MARLENE DENNIS, on behalf of  
herself and all others similarly situated,**

**Plaintiff,**

**v.**

**Civil Action No. 3:12cv616 (JAG)**

**NATIONSTAR MORTGAGE, LLC,**

**Defendant.**

**DEFENDANT NATIONSTAR MORTGAGE, LLC'S OBJECTIONS AND RESPONSES  
TO PLAINTIFF MARLENE DENNIS'S FIRST SET OF DISCOVERY**

Defendant Nationstar Mortgage, LLC ("Nationstar" or "Defendant"), by counsel, and without waiving its general objections, submits the following Objections and Responses to Plaintiff Marlene Dennis's ("Plaintiff") First Set of Discovery ("Requests").

Nationstar's objections and responses are given without prejudice to Nationstar's right to provide subsequent relevant information and/or documents, or to add, modify, supplement, or otherwise change or amend its objections to the Requests as new information is obtained, as legal determinations are made by the Court, or because the matter is pending further investigation and discovery. To the extent documents or information protected by the attorney-client privilege or the work product doctrine are, or become, responsive to any of the Requests, Nationstar expressly reserves its rights to assert such objections. The information contained in Nationstar's objections and responses is also subject to correction for omissions or errors. Nationstar reserves the right to supplement its objections and responses to any of Plaintiff's Requests up until the time of trial.

### **GENERAL OBJECTIONS**

The following General Objections apply to all of Plaintiff's Requests. Nationstar may restate a General Objection for emphasis in response to a specific Request below, but such a restatement does not, in any way, indicate that the General Objection does not apply to all of Plaintiff's Requests or that it must be specifically restated in response to any Request.

1. Nationstar objects to any instructions that seek to impose a duty on Nationstar beyond what is required by the *Federal Rules of Civil Procedure*. For example, Nationstar will make "reasonable inquiry" if it lacks knowledge of information sought in a Request.

2. Nationstar objects to Plaintiff's Requests to the extent they seek confidential and/or proprietary information in the absence of a protective order limiting the use of such information or information protected by the attorney client privilege, work product doctrine, or seek material prepared in anticipation of litigation.

3. Nationstar objects to the Requests to the extent they seek information that post-dates the filing of the initial complaint because such Requests are overly broad, unduly burdensome, not relevant to the allegations in the Complaint, and not reasonably calculated to lead to the discovery of admissible evidence.

### **I. REQUESTS FOR ADMISSION**

8. Defendant sent or caused to be sent letters in the form of Exhibits A and B to 50 or more persons in Virginia regarding an amount allegedly due Bank of NY Mellon as Trustee for FHASI 2007-AR3.

**OBJECTION: Denied.**

9. Defendant sent or caused to be sent letters in the form of Exhibits A and B to 100 or more persons in Virginia regarding an amount allegedly Bank of NY Mellon as Trustee for FHASI 2007-AR3.

**OBJECTION: Denied.**

10. Defendant sent or caused to be sent letters in the form of Exhibits A and B to 500 or more persons in Virginia regarding an amount allegedly Bank of NY Mellon as Trustee for FHASI 2007-AR3.

**OBJECTION: Denied.**

11. Defendant sent or caused to be sent letters in the form of Exhibits A and B to 1000 or more persons in Virginia regarding an amount allegedly due Bank of NY Mellon as Trustee for FHASI 2007-AR3.

**OBJECTION: Denied.**

12. Defendant sent or caused to be sent letters in the form of Exhibits A and B to 5000 or more persons in Virginia regarding an amount allegedly due Bank of NY Mellon as Trustee for FHASI 2007-AR3.

**OBJECTION: Denied.**

13. Defendant sent or caused to be sent letters in the form of Exhibits A and B to 10,000 or more persons in Virginia regarding an amount allegedly due Bank of NY Mellon as Trustee for FHASI 2007-AR3.


**OBJECTION: Denied.**





**II. INTERROGATORIES**





3. State the number, names and addresses of Virginia persons to whom Defendant sent or caused to be sent letters in the form of Exhibits A and B regarding the assignment, sale or transfer of servicing rights on loans due or allegedly due FIRST HORIZON HOME LOANS to Nationstar Mortgage, LLC for loan servicing on behalf of Bank of NY Mellon as Trustee for FHASI 2007-AR3.



**OBJECTION:** Nationstar objects to this Interrogatory because it seeks discovery of class information, for which a class has not been certified.


**RESPONSE:** Without waiving these objections, Nationstar states that, upon reasonable inquiry, the referenced letters were sent to two persons in Virginia. Therefore, the numerosity requirement pursuant to Fed. R. Civ. P. 23 is not met, which precludes class certification.

**III. REQUESTS FOR PRODUCTION OF DOCUMENTS**

Please produce:









6. All documents showing names and addresses and total number of persons in Virginia to whom Defendant sent letters in the form of Exhibits A and B regarding FIRST HORIZON HOME LOANS.

**OBJECTION:** Nationstar objects to this Request because it is premature in that it seeks discovery of class information, for which a class has not been certified.

**RESPONSE:** Without waiving these objections, Nationstar states that, upon reasonable inquiry, the referenced letters were sent to two persons in Virginia. Therefore, the numerosity requirement pursuant to Fed. R. Civ. P. 23 is not met, which precludes class certification.



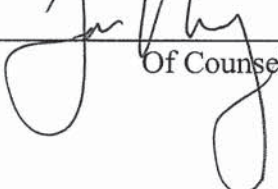


Nationstar Mortgage, LLC reserves the right to supplement, modify and/or amend these responses pursuant to the Federal Rules of Civil Procedure.

Dated: January 18, 2013

Respectfully Submitted,

**NATIONSTAR MORTGAGE LLC**

By:  \_\_\_\_\_  
Of Counsel

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 18th day of January, 2013, the foregoing Defendant Nationstar Mortgage, LLC's Objections to Plaintiff Marlene Dennis's First Set of Discovery were sent via e-mail and first class mail, postage prepaid, to the following counsel of record:

**Counsel for Plaintiff Marlene Dennis**

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NATIONSTAR MORTGAGE, LLC,

Defendant.

VERIFICATION

I, A.J. Loll, Vice President of  
Nationstar Mortgage, LLC, after being duly sworn, depose and say that to the best of my  
knowledge, information and belief, Nationstar Mortgage, LLC's Responses to Plaintiff's First  
Set of Interrogatories are true and correct.

NATIONSTAR MORTGAGE, LLC

By: A.J. Loll

Printed: A.J. Loll

Title: Vice President

STATE OF TEXAS

CITY OF LEWISVILLE

Subscribed and sworn to before me this 23<sup>rd</sup> day of January, 2013, by A.J. Loll  
of Nationstar Mortgage, LLC, who is  
personally known to me.

My Commission Expires: 11/23/13

Registration No.: 12811041-7

20262702v1

[Signature]  
Notary Public

